



PUBLIC NOTICE

Federal Communications Commission
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DA 02-914

Released: April 19, 2002

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON MID-RIVERS
TELEPHONE COOPERATIVE INC PETITION FOR DECLARATORY RULING
TO DECLARE MID-RIVER AN INCUMBENT LEC PURSUANT TO SECTION
251(h)(2) OF THE ACT**

WC DOCKET NO. 02-78

Comments Due: May 6, 2002

Reply Comments Due: May 15, 2002

On February 5, 2002, Mid-Rivers Telephone Cooperative, Inc. (Mid-Rivers) filed a petition for order declaring Mid-Rivers an incumbent local exchange carrier (LEC) pursuant to section 251(h)(2) of the Communications Act of 1934, as amended, 47 U.S.C. § 251(h)(2), and section 51.233(b) of the Commission's Rules, 47 C.F.R. § 51.223(b). The Mid-River petition requests the Commission to issue an order declaring that Mid-River shall be treated as an incumbent LEC in the Terry, Montana telephone exchange.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200; 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **May 6, 2002**, and reply comments on or **before May 15, 2002**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen,

commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. Also a courtesy copy must be sent to Janice M. Myles, 445 12th Street, SW, Washington, D.C. 20554, Room 5-C327.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [**qualexint@aol.com**](mailto:qualexint@aol.com).

For further information regarding this proceeding, contact Janice M. Myles, Competition Policy Division, Wireline Competition Bureau (202) 418-1580.

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